



GREENVILLE COUNTY COUNCIL

Minutes

Special Called Committee of the Whole Meeting

March 4, 2024
5:01 p.m.

Council Chambers
301 University Ridge
Greenville, South Carolina

Council Members

Mr. Dan Tripp, *Chairman, District 28*
Mrs. Liz Seman, *Vice-, District 24*
Mr. Butch Kirven, *Chairman Pro Tem, District 27*
Mr. Joey Russo, *District 17*
Mr. Mike Barnes, *District 18*
Mr. Benton Blount, *District 19*
Mr. Stephen Shaw, *District 20*
Mr. Chris Harrison, *District 21*
Mr. Stan Tzouvelekas, *District 22*
Mr. Alan Mitchell, *District 23*
Mr. Ennis Fant, Sr., *District 25*
Mr. Rick Bradley, *District 26*

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted online, at 301 University Ridge, Greenville, and made available to the newspapers, radio stations, television stations and concerned citizens.

Council Members Absent

None

Staff Present

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Kim Wunder, Assistant County Attorney
Regina McCaskill, Clerk to Council
Jessica Stone, Deputy Clerk to Council
Pam Gilliam, Administrative Assistant Clerk to Council

Council Members Remote Participation

Joey Russo, District 17
Steve Shaw, District 20
Dan Tripp, District 28

Terrance Galloway, Information Systems
Bob Mihalic, Governmental Affairs Officer
Nicole Wood, Assistant County Administrator
Hesha Gamble, Assistant County Administrator
Tee Coker, Assistant County Administrator
Keith Brockington, GPATS

Others Present

None

Call to Order

Chairman Dan Tripp

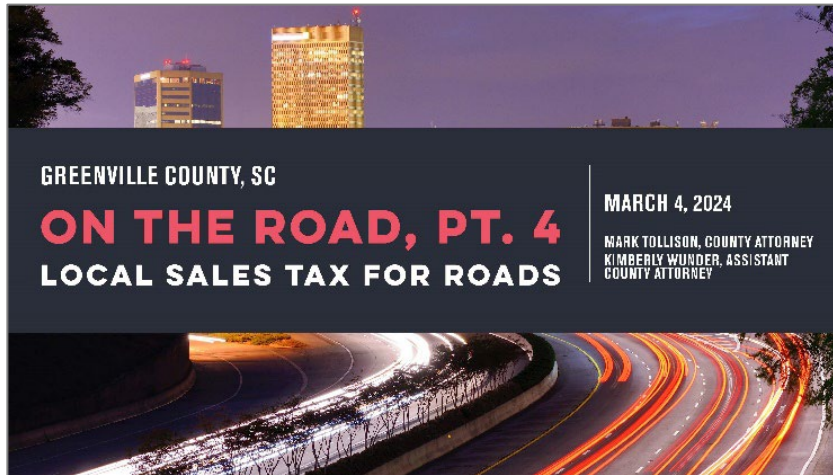
Invocation

Councilor Benton Blount

Item (3) Road Penny Referendum Options and Process

Presented by: Mark Tollison, County Attorney
Kim Wunder, Assistant County Attorney

Mr. Tollison stated the County’s Legal Department had been asked to conduct research on potential local sales taxes for the roads, as related to viable options for a potential referendum. They had prepared the following presentation.



Ms. Wunder stated there were two options under state law that allowed a County Council to impose a local sales tax for roads and bridges. Both options were found in Chapter Four. The first option, the Transportation Sales Tax, could be found in Chapter 37. The second option was the Capital Projects Sales Tax and could be found in Chapter 10. Ms. Wunder stated both options were very similar in their end result; however, they were very different in how projects were chosen and the cost involved.

TWO OPTIONS

SIMILARITIES

- ONLY CHARGED WITHIN GREENVILLE COUNTY
- IMPOSED BY COUNTY COUNCIL
- MUST BE APPROVED BY COUNTY VOTERS IN GENERAL ELECTION
- COUNCIL MUST TRANSMIT ORDINANCE AND BALLOT QUESTION TO COUNTY ELECTION COMMISSION BY AUGUST 15
- IF PASSED, COLLECTIONS START FOLLOWING MAY 1
- COLLECTED BY SCDOR

3

Ms. Wunder stated both taxes were only charged within Greenville County. Both were imposed by County Council, and had to be approved at a referendum by the voters of Greenville County. The process started with Council and ended with the voters. An ordinance was required for each option and must be transmitted to the Greenville County Election Commission by noon on August 15. If passed, the collection of either tax would start on May 1 of the following year. Greenville County was not responsible for collecting the taxes; they were collected by the Department of Revenue (DOR). Ms. Wunder stated DOR had the authority to charge a fee for their services. The proceeds would then be sent to the County.

TWO OPTIONS

DIFFERENCES

- SALES TAX RATE
- DURATION
- UNPREPARED FOODS
- ELIGIBLE PROJECTS
- SELECTION PROCESS
- BALLOT QUESTION

4

Ms. Wunder stated there were marked differences between the options. The sales tax rate was different. Both allowed up to 1%, with one of the options allowing a half percent. Another difference was how long the taxes could last. One option could last as short as two years up to eight; the other could last up to 25 years.

Ms. Wunder stated another big difference was the fact that unprepared foods could be taxed under one of the options. Both roads and bridges could be repaired under both options. The Capital Projects Sales Tax allowed a much broader type of project and the Transportation Sales Tax was more narrow. The selection process and ballot question were also very different.

TRANSPORTATION SALES TAX

KEY FEATURES

- UP TO 1% SALES TAX
- UP TO 25 YEARS OR UNTIL SET AMOUNT OF REVENUE IS RAISED
- INCLUDES UNPREPARED FOOD (GROCERIES)

ELIGIBLE PROJECTS

- HIGHWAYS
- STREETS
- TRANSIT
- ROADS
- BRIDGES
- GREENBELTS

Ms. Wunder stated Charleston and Richland Counties used the Transportation Sales Tax option. Under that option, Council could impose a half percent sales tax. The Transportation Sales Tax could extend to 25 years or until a set amount of money was raised. It also included a tax on groceries. Eligible projects included highways, roads, street bridges and mass transit (bus systems and green belts).

TRANSPORTATION SALES TAX

PROJECT SELECTION

- COUNTY COUNCIL
- CITIZEN COMMISSION (OPTIONAL)

DURATION

- TAX ENDS AT MAXIMUM TIME SPECIFIED
- TAX ENDS SOONER IF PROJECT COSTS ARE MET OR DEBTS SATISFIED

Under the Transportation Sales Tax option, it was ultimately County Council who wrote the ballot, adopted it and selected projects for the ballot. There was an option for Council to create an advisory commission of citizens in order to obtain feedback. Ms. Wunder stated under state law, County Council had great discretion regarding what the ballot looked like and the projects that could be funded with it. The maximum duration was specified up to 25 years. The tax could end sooner if the County collected all the money that was necessary for the project.

TRANSPORTATION SALES TAX

BALLOT QUESTION

"I approve a special sales and use tax in the amount of (fractional amount of one percent) (one percent) to be imposed in (county) for not more than (time) to fund the following project or projects:

Project (1) for _____ \$ _____

Yes ___

No ___

Project (2), etc."

Ms. Wunder stated that the actual wording to be used on the ballot was dictated by State law. For the Transportation Sales Tax, the ballot was to be worded as follows:

"I approve a special sales and use tax in the amount of (fractional amount of one percent) (one percent) to be imposed in the (county) for not more than (time) and to fund the following project:"

The projects to be funded would then be listed along with the projected cost.

CHARLESTON COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one-half (2) of one percent to be imposed in Charleston County for not more than 25 years, or until a total of \$1,303,360,000 in resulting revenue has been collected, whichever occurs first. The sales tax proceeds will be used for the following projects:

Project (1) For financing the costs of highways, roads, streets, bridges, and other transportation-related projects facilities, and drainage facilities related thereto, and mass transit systems operated by Charleston County or jointly operated by the County and other governmental entities. \$1,081,788,800.

Project (2) For financing the costs of greenbelts. \$221,571,200.

YES
NO

Instructions to Voters: All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote "YES;" and

All qualified electors opposed to levying the special sales and use tax shall vote "NO."

QUESTION 2

I approve the issuance of not exceeding \$113,000,000 of general obligation bonds of Charleston County, payable from the special sales and use tax described in Question 1 above, maturing over a period not to exceed 25 years, to fund completion of projects from among the categories described in Question 1 above.

YES
NO

Instructions to Voters: All qualified electors desiring to vote in favor of the issuance of bonds for the stated purposes shall vote "YES;" and

All qualified electors opposed to the issuance of bonds for the stated purposes shall vote "NO."

4.3 In the referendum on the imposition of a special sales and use tax in Charleston County, all qualified electors desiring to vote in favor of imposing the tax for the stated purposes shall vote "yes" and all qualified electors opposed to levying the tax shall vote "no". If a majority of the electors voting in the referendum shall vote in favor of imposing the tax, then the

8

Ms. Wunder stated the projects to be funded were listed as shown on the 2004 ballot from Charleston County. The proposed project was described in detail, as required by state law. A second question regarding a bond was also included; Charleston County chose to bond out the project, if approved. She stated if a County wanted to bond out a particular project, that question was required to be on the ballot. Ms. Wunder stated the Transportation Sales Tax for Charleston County would terminate within the next two years, well ahead of the anticipated date, as that County had reached its collection goal.

CAPITAL PROJECTS SALES TAX

KEY FEATURES

- 1% SALES TAX
- ONLY USED FOR PROJECTS LISTED ON BALLOT
- UP TO 8 YEARS (IN 2-YEAR INCREMENTS)
- EXCLUDES UNPREPARED FOOD (GROCERIES)

Ms. Wunder stated Capital Projects Sales Tax was a solid 1% and there could be no deviation from that amount. All proceeds must be used for the projects listed on the ballot. The tax could only be charged up to eight years, in two year increments. The Capital Projects Sales Tax excluded groceries

CAPITAL PROJECTS SALES TAX

ELIGIBLE PROJECTS

- HIGHWAYS
- ROADS
- STREETS
- BRIDGES
- PARKING GARAGES
- CULTURAL, REC, AND HISTORIC FACILITIES
- CIVIC BUILDINGS
- WATER AND SEWER PROJECTS
- FLOOD CONTROL AND STORMWATER PROJECTS
- BEACH PROJECTS
- DREDGING PROJECTS

A much wider range of projects were eligible from the revenue generated by a Capital Projects Sales Tax; highways, roads, bridges, parking garages, cultural facilities, historic facilities, civic buildings, water and sewer projects, flood control stormwater projects, dredging and beach renourishment. Ms. Wunder stated communities had the ability to tailor their needs under Capital Projects Sales Tax option. Spartanburg County used it to build new courthouse and administrative building.

CAPITAL PROJECTS SALES TAX

REQUIRED COMMISSION

- **PROJECTS SELECTED BY 6-MEMBER COMMISSION**
- **MEMBERS MUST BE COUNTY RESIDENTS**
- **COUNTY COUNCIL APPOINTS 3 MEMBERS**
- **MUNICIPALITIES APPOINT 3 MEMBERS (SUBJECT TO STATUTORY FORMULA)**

11

Ms. Wunder stated under state law, the Capital Projects Sales Tax option required a six member commission. State law also dictated how those members were appointed. Every member was required to be a resident of the County. Council appointed three members and the municipalities appointed the remaining three. The municipal appointees were selected by a population-based formula written out in state law.

CAPITAL PROJECTS SALES TAX

ROLE OF COMMISSION

- **CONSIDER PROPOSALS FOR FUNDING PROJECTS**
- **FORMULATE BALLOT QUESTION**
- **SUBMIT BALLOT QUESTION TO COUNTY COUNCIL**

ROLE OF COUNTY COUNCIL

- **ACCEPT BALLOT QUESTION FORMULATED BY COMMISSION**
- **OR REJECT BALLOT QUESTION**
- **MAY ADD BALLOT QUESTION TO AUTHORIZE DEBT**

12

The Commission was responsible for considering proposals for funding projects and formulating the ballot question. Ms. Wunder stated once that had been done, they transmitted the ballot question to County Council. She stated Council's options were limited in regards to the ballot question. Council had the option of accepting the ballot question and adopting an ordinance incorporating the ballot; or, rejecting the ballot question. They also had the option to add ballot question to authorize debt.

CAPITAL PROJECTS SALES TAX

BALLOT QUESTION

"Must a special one percent sales and use tax be imposed in (county) for not more than (time) to raise the amounts specified for the following purposes?"

(1) \$ _____ for _____

(2) \$ _____ for _____

(3) etc.

Yes No

13

Ms. Wunder stated that state law set out the wording of the ballot as follows:

"Must a special one percent sales and use tax be imposed in (county) for not more than (time) to raise the amounts specified for the following purposes?"

The projects to be considered followed.

Ms. Wunder stated Spartanburg County recently reimposed its Capital Projects Sales Tax. The purpose of that reimposed tax was road improvements. The question on the ballot listed a special 1% Sales and Use Tax to be reimposed in Spartanburg County for a period of six years. She stated a very specific dollar amount was listed for 38 road improvement projects. If Greenville County chose the Capital Projects Sales Tax option, the voters would see an extremely long ballot, listing all the projects that were to be funded by the sales tax. *(Image of the ballot shown below)*

FORM OF BALLOT

Question

Must a special one percent sales and use tax be reimposed in Spartanburg County, South Carolina for 6 years to raise the amounts specified for the following purposes:

- \$157,535,684 for thirty-eight (38) road improvement, repaving, and resurfacing projects for Spartanburg County State-maintained roads, including but not limited to the following:
 - Hwy 101 - Arnold Rd to Rogers Bridge Rd
 - SC 295 (Southport Rd) - SC 215 and Hwy 296 to Hwy 176
 - Hwy 29 (East/West Main St) - Hwy 296 to Cherokee County Line
 - Hwy 296 (Ridville Rd/John B White Sr. Blvd) - Hwy 296 to SC 295
 - Hwy 221 - SC-295 (Southport Rd) to Barnwell Rd
 - Ferwood Glendale Rd - Hwy 29 to Clifton Glendale Rd
 - Hwy 290 (E. Main St) - Hwy 296 to Rogers Bridge Rd
 - Hwy 296 (Ridville Rd/John B White Sr. Blvd) - SC295 to W. Main St
 - Abeer Creek Rd - Hwy 101 to Westmoreland Rd
 - Hwy 290 (E. Main St) - Meaulay Rd to N Danzler Rd
 - Brockman McClimon Rd - 1-85 - Hwy 101
 - Hwy 14 (E. Rutherford St) - 1-26 to Hwy 176
 - Old Canaan Rd - Hwy 295 to Canaan Rd
 - Edwards Rd - Fountain Inn Rd to Hwy 101
 - Cherry Hill Rd - Hwy 29 to River St
- \$165,129,588 for four hundred seventy-eight (478) Spartanburg County road improvement, repaving, and resurfacing projects, including but not limited to the following:
 - Pavement Preservation - multiple locations
 - Mt. Shoals Rd - Hwy 221 to Price House Rd
 - Dickson Rd - Big Mulberry Ter to Edwards Rd
 - Old Canaan Rd - Stone Station Rd (Hwy 215) to Canaan Rd
 - Motlow Creek Rd - Goodjoin Rd to Hwy 357
 - Rothland Rd - Hwy 11 to Red Hill Ln
 - Macedonia Church Rd - Motlow Creek Rd to Greenville County Line
 - Lyman Lake Rd - Hwy 357 to End Cul-de-sac
 - Peach Shed Rd - Turkey Farm Rd to Buck Creek Rd
 - Flatwood Industrial Dr - Hwy 221 to Flatwood Rd
 - Prison Camp Rd - Hwy 11 to Hwy 11
 - Freeman Farm Rd - Brockman McClimon Rd to Mayfield Rd
 - Grand Canyon Rd - Holly Springs Rd to Hwy 357
 - Skunk Hollow Rd - Hwy 11 to Landrum Mill Rd
- \$42,000,000 for fourteen (14) intersection improvement projects, including but not limited to the following:
 - Battleground Rd at Hwy 29

A-1

- Old Furnace Rd at Sugar Ridge Rd
- SC-357 at SC-358
- W. Henry St at S. Forest St
- Double Bridge Rd at Hanging Rock Rd.
- Gossett Rd at Cannons Campground Rd
- Hammet Store Rd at SC-357
- Hwy 129 at Carver Rd/Boho Rd
- Hwy 292 at Bishop Rd
- Mt. Zion at John Dodd Rd
- Zion Hill Rd at Sloans Grove Rd
- Hwy 176 at Dogwood Club Rd
- Old Converse at Cannons Campground

- \$40,250,000 for seven (7) Spartanburg County road corridor reconstruction projects, including but not limited to the following:
 - Foster Rd - Hwy 11 to Compton Bridge Rd
 - Hammett Store Rd - Hampton Rd to Hwy 357
 - Floyd Rd - Cannons Campground Rd to Hwy 221
 - Upper Valley Falls Rd - Valley Falls Rd to Hwy 176
 - Genable Rd - Victor Hill to Robinson Rd
 - Plainview Dr - Hwy 29 to Cannons Campground Rd
 - Blacklock Rd - Hwy 9 to Old Furnace Rd
- \$23,500,000 for bridge replacement projects, including but not limited to the replacement of ten (10) wood and steel pile bridges
- \$28,250,000 for transportation-related stormwater improvement projects, including but not limited to replacement of thirty (30) corrugated metal pipe and box culverts used to convey stormwater
- \$9,000,000 for road safety projects
- \$12,334,728 for city and town road improvement, repaving, and resurfacing projects

Total \$478,000,000

INSTRUCTIONS TO VOTERS: All qualified electors of the County desiring to vote in favor of reimposing the tax, for the stated purposes as outlined above shall vote "YES", and all qualified electors opposed to levying the tax shall vote "NO".

Yes
No

A-2

SUMMARY OF OPTIONS

	CAPITAL PROJECTS SALES TAX	TRANSPORTATION SALES TAX
Amount	1%	Up to 1%
Taxable Items	Most retail purchases; does not tax groceries	Most retail purchases; taxes groceries
Time Frame	Up to 8 years (in 2-year increments)	Up to 25 years or until set amount of revenue is raised
Development	Requires 6-member commission of County and City residents	Does not require commission
Project List and Ballot Question	Commission creates project list and develops referendum question County Council adopts or rejects project list in whole	County Council develops referendum question
Eligible Projects	Highways, roads, streets, bridges	Highways, roads, streets, bridges, transit systems, greenbelts
Enactment	Imposed by ordinance, subject to referendum	Imposed by ordinance, subject to referendum
Annual Amount	\$131 million annually (for 8 years)	\$153 million annually (for 8 years)
Admin. Cost	Up to 1% to SCDOR	Up to 1% to SCDOR

Ms. Wunder provided a summary of the two options as outlined above.

Councilor Bradley inquired if Council had the authority to change the requirement regarding sales tax on groceries under the Transportation Sales Tax.

Ms. Wunder stated Council had no authority to change that; it was set by state law.

Councilor Bradley stated in terms of the Capital Projects Sales Tax, Council would have no ability to change any item on the report submitted by the Commission.

Ms. Wunder stated Council was required to either accept it or deny it. There was the option to send it back to the Commission with recommendations. She reminded Council of the August 15 deadline.

Chairman Tripp apologized for attending the meeting remotely. He inquired about Council's ability to divert money to other projects or funds, if the Capital Projects Sales Tax option was approved. He stated there were "guardrails" in place to prohibit Council from doing anything other than the projects listed on the ballot.

Ms. Wunder stated Council had no discretion in that respect. Additional projects could be funded if more money was collected than needed for the projects specified on the ballot. There were limits set forth in state law indicating those excess monies could only be spent on projects that were of the type that could be funded by the Capital Projects Sales Tax.

Councilor Harrison asked about project costs that exceeded the amount of revenue collected.

Ms. Wunder stated that was a very real problem. It was important for the County to work with engineers to get the best estimates possible. She stated things could happen when projects spanned so many years. The Commission was responsible for setting priorities and including contingencies. Ms. Wunder stated one example was the acquisition of a right of way. If that became impossible, the project would not stop. Staff would continue to work through the priority level set forth by the ballot and make adjustments to the project.

Councilor Barnes stated all City, County and State roads could be included.

Ms. Wunder stated all of those roads were eligible to be included.

Councilor Blount inquired if the Citizen Commission, under the Transportation Sales Tax option, functioned exactly like the one required under the Capital Projects Sales Tax option.

Mr. Tollison stated Council had the ability to set up its own parameters for that Citizen Commission, as it was not part of the statute.

Councilor Blount stated it appeared to be easier to “pick and choose” projects from a Council perspective with the Transportation Sales Tax Citizen Commission.

Mr. Tollison answered in the affirmative.

Councilor Fant asked if the County would be reimbursed by the State for any state roads repaired with the funds collected.

Ms. Wunder stated there had been some robust contracts between the County and SCDOT. There were opportunities to operate and scale; more projects would give the County the ability to make its dollars go further. Greenville County would work with SCDOT to fund projects that would otherwise would be on a long range plan. She stated there was no reimbursement from the State. The County had to decide if they wanted to get a project going, or not.

Chairman Pro Tem Kirven stated there had been some discussion about projects that were scored higher and needed more urgency. Mr. Kirven stated in meetings he had attended, they had talked about Greenville County implementing a sales tax. It could accelerate the timing on some of the highest priority projects partially funded by SCDOT. Mr. Kirven stated it was important to remember that the projects were reviewed and analyzed very carefully for the benefits they would provide to the public.

Councilor Mitchell inquired about a reversal on the tax on groceries in regards to the Transportation Sales Tax.

Ms. Wunder stated an amendment from the General Assembly would be required to make that change.

Councilor Mitchell asked how that could be accomplished.

Mr. Tollison stated it was his understanding a bill had been filed to do that; however, he would not forecast its chances of passage within the current session of the General Assembly.

Councilor Mitchell stated he had been working towards getting it changed. He had spoken to some State legislators about it. Some were in favor, some were lukewarm. Mr. Mitchell stated he did not know if Council would be able to mobilize in time to get something changed at the State level and get the referendum on the ballot in time.

Mr. Tollison stated, based on Ms. Wunder’s presentation and discussion about the timeframes involved, he saw it as a significant risk to take on the Transportation Sales Tax option, counting on legislation passage to release taxes on groceries. He stated if it did not pass, the County would be in a “take it or leave it” situation as it related to the ballot measure.

Councilor Harrison inquired how the taxes were collected by the Department of Revenue and remitted to the County. He stated he assumed they were collected on a quarterly basis and sent back to the Greenville County. Mr. Harrison stated he was uneasy sending money to Columbia.

Ms. Wunder stated it was her understanding the taxes were collected at the retail level, the same way as the state sales tax. Retailers submitted the money to the Department of Revenue. It was then allocated to different "buckets."

Councilor Harrison asked if there was a way for the County to make sure it was receiving the correct amounts.

Ms. Wunder stated there was a provision written into state law.

Councilor Bradley stated he ran a business and paid state sales tax. Currently, he collected 6% sales on each transaction. He inquired if he would be required to collect 7%, if Council approved the tax.

Ms. Wunder stated the Department of Revenue administered the tax and had a role in ensuring the proceeds were spent according to their usage.

Councilor Bradley stated DOR charged a fee to collect sales tax. Currently, if he sold \$1000 worth of materials in a month, he paid \$60 in sales tax. If Council approved the additional 1% sales tax, he would be required to pay \$70 on those same materials. He asked if DOR would charge more to process the additional 1%.

Ms. Wunder stated the DOR fees would increase.

Councilor Bradley stated it was his understanding that neither option included taxes on power or water.

Ms. Wunder confirmed Mr. Bradley's statement.

Mr. Bradley stated future Councils could not stop the sales tax increase, once it was in place. The projects could not change, either.

Ms. Wunder confirmed Mr. Bradley's statements.

Mr. Bradley stated it was his understanding that under the Capital Projects Sales Tax option, Council had the ability to make suggestions to the Commission in regards to the suggested projects.

Ms. Wunder stated Council could communicate back and forth with the Commission. It was fair for Council to express its desires. She stated Council had no authority to make amendments once the final ballot was transmitted.

Chairman Pro Tem Kirven asked if Council could make any changes once the ballot was drawn up and approved by the voters.

Ms. Wunder stated absolutely no changes could be made after approval by the voters.

Chairman Tripp stated he wanted to clarify something Mr. Bradley had raised. Retailers would be required to collect the additional 1% sales tax; however, there would be no additional cost to retailers. Any additional fees would be the responsibility of the County.

Ms. Wunder stated that was correct. Those fees would be subtracted from the monies received by the Department of Revenue.

Chairman Tripp asked if it was possible to find out the amount.

Ms. Wunder stated that state law allowed the amount to be up to 1%.

Chairman Tripp inquired if that amount was 1% of the total gross receipts that were collected.

Ms. Wunder answered in the affirmative.

Chairman Tripp stated he would like to address Mr. Mitchell's comments regarding elimination of the grocery tax. Mr. Tripp stated he had received several texts about the issue and there was always a chance it could be changed. Council was on a pretty tight timeline to put the sales tax on the ballot during the current year. That was one of the reasons he planned to introduce a resolution during the Committee of the Whole meeting scheduled for March 5. If approved, the resolution would form the Commission required for the Capital Projects Sales Tax option, in order to get the process started. Council ultimately had veto power over the Commission's recommendation. Mr. Tripp stated Ms. Gamble and Mr. Coker had been working with the municipalities and the state to price out the projects that had been submitted in priority order. The next step would be to set up the Commission to build out a priority list.

Councilor Tzouvelekas asked how the Commission's priorities would marry up with the GPATS priorities.

Ms. Wunder stated it would be at the discretion of the Commission.

Councilor Tzouvelekas asked if the Commission or Council had final say regarding the projects chosen.

Ms. Wunder stated County Council would have the final say regarding which projects were chosen.

Councilor Tzouvelekas stated he was under the impression Council could not make any changes to the Commission's recommendations.

Ms. Wunder stated Council would have the option to accept or reject the Commission's recommendations, as well as the final word on whether or not the ballot moved forward or not.

Councilor Tzouvelekas asked how much of the 1% increase would the County actually receive and if there were any fees in addition to those already mentioned. He asked if the monies would be used for the exact allocations specified by Council or be used elsewhere.

Ms. Wunder stated the monies could not be used elsewhere.

Mr. Tzouvelekas asked how much would the County receive per \$100 of taxes collect by the Department of Revenue.

Mr. Kernell stated the Department of Revenue was allowed to charge up to 1% processing fee; Greenville County would receive 100% of the revenue collected, less the processing fee.

Councilor Shaw asked if there was an option to put the selection of the Commission members first, prior to anything happening, in order for everyone to know who was on it.

Ms. Wunder stated the Capital Projects Sales Tax option would start by creating the Commission.

Councilor Shaw asked if creating the Commission meant Council had chosen the Capital Projects Sales Tax option. He stated it would be helpful for Council to know who was on the Commission, prior to taking any action.

Ms. Wunder stated County Council would have control on whether to back a ballot or not move forward with a referendum.

Councilor Shaw asked if there was a sales tax choice that included a commensurate reduction in ad valorem taxes.

Ms. Wunder stated there were approximately eight different local sales tax options. The Legal Department was asked to about funding roads and bridges. She stated she was under the impression there was a local sales tax option to offset property taxes.

Councilor Shaw asked if that option included roads and bridges.

Ms. Wunder stated the purpose of that option was to offset property taxes. In order to fix roads and bridges, Council really needed to look at the Capital Projects Sales Tax Option or the Transportation Sales Tax option.

Councilor Shaw stated in regards to ensuring funds were spent appropriately, he inquired about an allegation in current litigation that the County budget was not being spent that way it was budgeted. He stated the issue had not been brought to trial and was an unresolved question.

Mr. Tollison stated whether it was an allegation or not, it still had to go through the court process. He stated he could not recall that being part of the pleadings. In regards to that current litigation, it was such a "kitchen sink" lawsuit. There were a number of things in the lawsuit that had nothing to do with the budget or money.

Councilor Shaw stated it had been his experience during the past three years that monies identified for specific uses did not necessarily get spent the correct way.

Mr. Tollison stated as previously covered by Ms. Wunder, monies identified for specific projects under both options were spent on those projects.

Councilor Shaw asked how the \$30 million bond for "the second Woodruff Road" become a priority.

Mr. Kernell stated the first movement was to spend \$30 million for the Woodruff Road Bypass, as directed by County Council. Mr. Kernell stated that was a cash transaction and was taken from the Fund Balance. There was another movement by Council to spend an additional \$30 million, which would have depleted the Fund Balance. Mr. Kernell stated County Council's plan was to issue the bond for Woodruff Road. Because the County had not planned to use cash, therefore, Council issued bonds to replace that money.

Councilor Shaw stated he understood the finance part. The point he was trying to make was Council would have no control over the people who would be choosing the road projects; that was "scary" to him.

Vice-Chairwoman Seman stated on proposed resolution, there was a whole section that addressed the appointment of members the commission. The process would be similar to how

Council appointed current board and commission members. She stated there would be an application period for individuals interested in serving.

Councilor Shaw stated it was like six or ten days to complete that process.

Vice-Chairwoman Seman stated short application periods had been opened in the past to fill positions.

Chairman Tripp stated the law dictated that County Council would choose three of the six member commission. There was another process for choosing the other three members from the municipalities. Mr. Tripp stated his proposed resolution would set the application period up just like the current board and commission process. Council Members would have the opportunity to find potential candidates. County Council would vote on the candidates and choose three. Mr. Tripp stated the process outlined in the proposed resolution appeared to be the most open and transparent way for Council to choose. The municipalities could choose their own method to select candidates.

Vice-Chairwoman Seman stated a detailed breakdown of the process had been included in the County Council Packet.

Councilor Tzouvelekas stated the period for applying for membership on the Commission would commence on March 6 and run through March 14. In two days, Council was expected to choose three commissioners.

Vice-Chairwoman Seman stated Council was not expected to choose three commissioners in two days. The application period would start on March 6.

Councilor Tzouvelekas stated Council was expected to find three commissioners to spend \$1 billion on taxpayer money. He stated that seemed to be a "little quick" for him.

Vice-Chairwoman Seman stated Council would ultimately decide on its three commissioners. Staff had done a yeoman's work of putting together potential projects to be considered by the Commission or Council, depending on which option was chosen. Council could vote the ballot "up or down." She stated Council could definitely turn it down. There was no definitive by simply starting the process; nothing said it had to be finished. Ms. Seman stated she felt there were definitely had some safeguards in place.

Chairman Tripp stated as outlined in the statute on the Capital Projects Sales Tax option, Council would have 30 days to start up the commission, if the resolution was approved. Mr. Tripp stated a more conventional route would be to offer the resolution with three commissioner names in it. He stated he did not feel comfortable putting a resolution together naming three commissioners, without input from County Council. There were no "secret deals" going on. He stated he had never done anything with road projects; there was no conflict on his part. He had specifically requested the County's Board and Commission Policy be used in the proposed resolution to ensure openness and transparency. Council Members would receive the applications for potential commissioners in the Council Packet on Friday, March 15, and would vote on those individuals the following Tuesday, March 19. Mr. Tripp stated the process was slightly compressed, but, not unnecessarily so. If the resolution passed, advertisements would appear in the paper on March 6, informing the public. The information would also be included on the County website and broadcast widely.

Councilor Tzouvelekas inquired about desired qualifications for the commission members.

Chairman Tripp stated it was up to Council to review the applications. There were no broad qualifications for any of the County's boards and commissions. Those appointments were left up to Council's wisdom and decision-making process.

Vice-Chairwoman Seman stated she was not sure if there were any qualifications for an individual to serve on County Council, other than reside in the district they represented.

Councilor Bradley stated the money could be collected for a period of up to eight years. He asked if the projects would continue until they were finished.

Ms. Wunder stated work on the projects would continue until completed.

Councilor Blount inquired about the process for the municipality seats.

Ms. Wunder stated the process was to take the total municipal population of the County from the most recent census. That total was approximately 160,000 people and included Fountain Inn, Greenville, Greer, Mauldin, Simpsonville and Travelers Rest. Ms. Wunder stated only the portions of those cities that were located in Greenville County. That number was divided by three and the resulting sum became the average. The average was then divided into the population of each municipality to obtain the number of appointees to the commission.

Mr. Shaw stated it was his understanding that the whole premise for the possible sales tax increase was safety. According to information he had obtained, deaths were judged per 100,000 people. Given that information, Greenville County was one of the safest counties in the state. Therefore, it did not appear to be a safety issue and he could not understand the rush to spend so much money.

Vice-Chairwoman Seman stated she did not know what he was looking at in terms of numbers. She asked staff to weigh in for clarification on some of the data points.

Councilor Shaw stated he had obtained information from the National Highway Safety Administration's Fatality Analysis Reporting System. Some of the counties in the Low Country had three to four times as many as Greenville. He was not aware they were imposing an additional sales tax.

Chairman Tripp stated staff had pulled numbers from the past seven years; Greenville County had the highest number of fatalities in the State. Safety was not the sole reason for the sales tax increase. The roads in Greenville County were not getting any better; they were getting a lot worse. The sales tax increase would improve the condition and capacity of the County's roads. At the current rate, it would take 100 years to repave 1800 road miles. Mr. Tripp stated, in terms of safety, if implementation of the sales tax increase saved one life, it would be worth it. The County was struggling with road conditions and capacity. Residents were screaming for congestion relief. Mr. Tripp stated only putting \$12 million a year into roads was not living up to Greenville County standards.

Vice-Chairwoman Seman reminded her colleagues that the beauty of the process afforded Council the opportunity to debate the resolution. Council Members always had the option to vote against it.

Councilor Blount suggested putting money behind the issue in order to inform the public. He stated many residents did not follow Council meetings and were not aware of what was going on.

Vice-Chairwoman Seman stated that was a great recommendation. She asked staff to remind Council how funds could be used for that purpose.

Ms. Wunder stated the County could not use taxpayer money to advocate for a result. Staff members could provide education, but, were not allowed to promote or discourage either option.

Councilor Blount asked if Council could reach out to groups and organizations for assistance with that aspect of the process.

Vice-Chairwoman Seman answered in the affirmative.

Councilor Harrison recalled Mr. Coker or Ms. Gamble stating that Greenville County was one of the few counties in the state that had not imposed some similar type of sales tax; he recalled that number to be two or three counties.

Ms. Wunder stated Greenville County belonged to a small, unique group of counties in the State that did not impose any additional sales tax beyond the 6%.

Councilor Shaw stated the top counties in the state for fatalities were Colleton, Fairfield, Allendale, Hampton, Marlborough and Jasper. He stated he had no idea if they imposed any additional sales tax or not. Mr. Shaw stated he guessed it was the population of those counties; they were smaller than Greenville. It was a rate, like everything else. Government should look at rates, not anecdotal examples.

Keith Brockington stated he had helped Mr. Coker and Ms. Gamble gather the information regarding vehicle fatalities across the State; it was obtained from the Department of Public Safety. The safety numbers that were reported to Council were total numbers from counties around the State. Officers investigating accidents reported the information directly to Department of Public Safety. Fatality rates for counties with lower populations were naturally higher. For example, 10 fatalities for a county with a low population would be much higher than the rate for a county the size of Greenville, even with its high number of fatalities.

Councilor Shaw stated that was his point. He stated rates should be used to make decisions. They were much higher in smaller places, not because of some "magical math" but due to the fact that there were more fatalities in those areas.

Councilor Bradley stated he had worked in four different states. They all had Transportation or Capital Sales Tax. The sales tax rate in Alabama was as high as 9%; Georgia was 7.5%. He stated most counties he had visited imposed a road tax. In his opinion, it would be easier to sell the additional sales tax to the citizens if Council could ensure it would be spent on the roads. Mr. Bradley stated it was important to convey that the citizens of Greenville County.

Vice-Chairwoman Seman stated communication and education were key. Council would have the opportunity to debate the issue during the meetings scheduled for the next day.

Item (7) **Adjournment**

Action: Councilor Bradley moved to adjourn the meeting.

Motion carried unanimously and the meeting adjourned at 6:02 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council